

United States District Court
Southern District of Texas
FILED

AO 91 (Rev. 08/09) Criminal Complaint

MAY 10 2018

UNITED STATES DISTRICT COURT

for the

Southern District of Texas

Clerk of Court

United States of America

v.

Marco Antonio GARCIA
(YOB: 1995, COB: U.S.A.)

Case No.

M-18-0999-M

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of May 10, 2018 in the county of Starr in the
Southern District of Texas, the defendant(s) violated:

Code Section

Offense Description

8 U.S.C. § 1324(a)(1)(A)(ii)

Alien Smuggling

8 U.S.C. § 1324(a)(1)(A)(v)(I)

Knowing and in reckless disregard of the fact that Norberto PEREZ-Perez (COB: Guatemala), Pedro TAMBRIZ-Perechu (COB: Guatemala), and one other alien has come to, entered, or remains in the United States in violation of law, transports, or moves or attempts to transport or move such aliens within the United States by means of a motor vehicle and conspired to do the same;

This criminal complaint is based on these facts:

SEE "ATTACHMENT A"

✓ Continued on the attached sheet.

Approved Joseph Leonard
Sworn to before me and signed in my presence.Date: 5/10/2018City and state: McAllen, Texas

Complainant's signature

Hector A Garcia, HSI TFO

Printed name and title

Judge's signature

J. Scott Hacker, U.S. Magistrate Judge

Printed name and title

ATTACHMENT A

I, Hector Garcia, am a Task Force Officer (TFO) assigned to the United States Homeland Security Investigations (HSI), and have knowledge of the following facts:

1. On May 9, 2018, Rio Grande City Police Department conducted a traffic stop on black Mazda 6 for Failure to maintain single lane and Defective equipment, left tail light. During traffic stop, Rio Grande City Police Officer Israel Trevino (Badge #616) requested assistance from U.S. Border Patrol to identify multiple subjects in the vehicle.
2. U.S. Border Patrol agents arrived and questioned the subjects regarding their identification and citizenship. It was determined that three of the subjects in the vehicle were in the country illegally.
3. The driver, Marco Antonio GARCIA and the three passengers, undocumented aliens (UDA), were placed under arrest and transported to the Rio Grande City Border Patrol Station.
4. HSI McAllen was notified of the facts of the case and responded to the Rio Grande City Border Patrol Station.
5. HSI TFO H. Garcia read GARCIA his Miranda Warnings witnessed by HSI TFO Carl Kailipaka, in his preferred language of English, which he acknowledged he understood and subsequently waived in writing.
6. Post Miranda, GARCIA stated he was contacted by another smuggler on May 9, 2018, and told to pick up three UDAs in Rio Grande City, Texas, for a total payment of \$600.00 United States Dollars (USD) (\$200.00 USD per person). GARCIA agreed and picked up the UDAs in Rio Grande City, Texas and was transporting them to an unknown location in McAllen, Texas. GARCIA stated he instructed the front passenger to put her seatbelt on and asked the three UDAs where they were from. GARCIA stated he was stopped by police shortly after.
7. Material witnesses, Nolberto PEREZ-Perez and Pedro TAMBRIZ-Perechu were read their Miranda warnings by Border Patrol Agent Jose Gonzalez and witnessed by Border Patrol Agent Mario Cavazos. PEREZ-Perez and TAMBRIZ-Perechu stated they understood and waived their rights by signing form I-214.
8. Post Miranda, PEREZ-Perez stated he is a citizen and national of Guatemala and he illegally crossed into the United States on May 9, 2018. PEREZ-Perez stated he was charged approximately \$9,000.00 United States dollars for his smuggling arrangements. PEREZ-Perez stated he was taken to a house where he remained for a short time and was then picked up and driven by a male subject, later identified as GARCIA. PEREZ-Perez was able to positively identify GARCIA in a photo line-up.

9. Post Miranda, TAMBRIZ-Perechu stated he is a citizen and national of Guatemala and he illegally crossed into the United States on May 9, 2018. TAMBRIZ-Perechu stated he was charged approximately \$9,000.00 United States dollars for his smuggling arrangements. TAMBRIZ-Perechu stated he was taken to a house after crossing into the United States. TAMBRIZ-Perechu stated he was picked up and driven by a male subject, later identified as GARCIA. TAMBRIZ-Perechu was able to positively identify GARCIA in a photo line-up.